

January 24, 2012

VIA ELECTRONIC DELIVERY

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Room TWA325
Washington, DC 20554

**Re: Notice of *Ex Parte* Presentation
RM-11592, RM-11626**

Dear Ms. Dortch:

On January 20, Vulcan Wireless LLC (“Vulcan”) representatives Scott Wills, Paul Nagle, Paul Kolodzy, and Michele Farquhar spoke by telephone with Jim Schlichting and Tom Peters of the Wireless Telecommunications Bureau to discuss the Commission’s upcoming Notice of Proposed Rulemaking (“NPRM”) on interoperability in the 700 MHz band.

During the call, the Vulcan representatives encouraged the Commission to begin the interoperability rulemaking and facilitate a reconsolidated Lower 700 MHz band as soon as possible. They also urged the Commission to incorporate the technical and engineering study, cost estimates, and transition timing analysis submitted by Vulcan and 700 MHz A Block licensees into the NPRM. In addition, the Vulcan representatives provided by email the attached list of citations to prior filings by Vulcan and other parties demonstrating that there are no valid technical, cost, or transition impediments to Lower 700 MHz interoperability. Vulcan also stressed that any parties raising interference or other concerns in response to the NPRM should be required to provide data and factual support to substantiate their claims.

Finally, on January 24, the Vulcan representatives also requested a clarification as to the protected contour of Channel 51 stations under Section 27.60 against interference from adjacent channel 700 MHz A Block operations. The text of the question submitted to Messrs. Schlichting and Peters is as follows:

We appreciate your willingness to provide some clarity on the size of the protected contour of Channel 51 stations under Section 27.60 against interference from adjacent channel 700 MHz A Block operations. We have heard conflicting interpretations from various equipment vendors, systems integrators, and engineers

regarding the FCC's contour protection rules. The interpretations also change if different technologies are deployed.

Specifically, Sections 27.60(b)(1)(i) and (b)(2) cross-reference Section 90.309, Table E, which provides for a minimum 60-mile geographic separation for adjacent channel base stations and a minimum 90-mile separation "where there are mobile units associated with the base station." According to some, but not all, this results in a 90-mile minimum geographic separation (absent station consent, the submission of an engineering study, or a waiver) for all A Block mobile systems, including any FDD deployment. And while there is lack of consensus on that issue when utilizing FDD technology, there appears to be a consensus that the 90-mile separation requirement does apply if A Block mobile units are transmitting on the adjacent frequencies (*i.e.*, the former Channel 52 frequencies) in a TDD system. It is also unclear whether a 60- or 90-mile minimum geographic separation would apply to a system that utilizes a one-way streaming data deployment such as DVB-H or ATSC-M/H. In addition, the absence of any mention of the 90-mile requirement in Section 27.60(b)(2)(ii)(D) (which separately imposes a 60-mile minimum geographic separation on adjacent channel A Block control, fixed, and mobile stations) has led to some confusion.

Finally, because the rules are not specific as to whether Class A LPTV stations operating on Channel 51 must be protected under Section 27.60, we would like to confirm that, as many believe, the FCC intended to protect Class A LPTV stations under these rules.

Pursuant to Section 1.1206(b) of the Commission's rules, I am filing this notice electronically in the above-referenced docket. Please contact me directly with any questions.

Respectfully submitted,

/s/ Michele C. Farquhar

Michele C. Farquhar
Counsel to Vulcan Wireless LLC

Partner
michele.farquhar@hoganlovells.com
D 1+ 202 637 5663

cc: Jim Schlichting
Tom Peters

ATTACHMENT

No valid technical or interference concerns regarding Lower 700 MHz interoperability

See, e.g., Ex Parte filing by Vulcan Wireless LLC, WT Docket No. 11-18, RM-11592 (filed Nov. 30, 2011); *Ex Parte* filing by Vulcan Wireless LLC, WT Docket No. 11-18, RM-11592, 1 and Attachment at 3-4 (filed Dec. 15, 2011); *Ex Parte* filing by Vulcan Wireless LLC, WT Docket No. 11-18, RM-11592 (filed Dec. 12, 2011); *Ex Parte* filing by C Spire Wireless, WT Docket No. 11-18, RM-11592, 1 (Dec. 22, 2011); *Ex Parte* filing by Free Press, WT Docket No. 11-18, RM-11592, 2 (Dec. 20, 2011); *Ex Parte* filing by Sprint Nextel, WT Docket No. 11-18, WT Docket No. 06-150, GN Docket 09-51, 2 and Attachment (Dec. 20, 2011); *Ex Parte* filing by Rural Cellular Association, WT Docket No. 11-18, RM-11592, 1-2 (Dec. 13, 2011); *Ex Parte* filing by Vulcan Wireless LLC, WT Docket No. 11-18, RM-11592 (filed Dec. 6, 2011); *Ex Parte* filing by Vulcan Wireless LLC, WT Docket No. 11-18, RM-11592 (filed Dec. 5, 2011); *Ex Parte* filing by C Spire Wireless, WT Docket No. 11-18, RM-11592 (filed Dec. 5, 2011); *Ex Parte* filing by Vulcan Wireless LLC, WT Docket No. 11-18, RM-11592 (filed Nov. 25, 2011).

No valid cost concerns regarding Lower 700 MHz interoperability

Ex Parte filing by Vulcan Wireless LLC, WT Docket No. 11-18, RM-11592 (filed Nov. 30, 2011); *Ex Parte* filing by Vulcan Wireless LLC, WT Docket No. 11-18, RM-11592, 1 and Attachment (filed Dec. 15, 2011); *Ex Parte* filing by Vulcan Wireless LLC, WT Docket No. 11-18, RM-11592 (filed Dec. 12, 2011); *Ex Parte* filing by C Spire Wireless, WT Docket No. 11-18, RM-11592, 1 (Dec. 22, 2011); *Ex Parte* filing by Free Press, WT Docket No. 11-18, RM-11592, 2 (Dec. 20, 2011); *Ex Parte* filing by Rural Cellular Association, WT Docket No. 11-18, RM-11592, 2 (Dec. 13, 2011); *Ex Parte* filing by Vulcan Wireless LLC, WT Docket No. 11-18, RM-11592 (filed Dec. 6, 2011); *Ex Parte* filing by Vulcan Wireless LLC, WT Docket No. 11-18, RM-11592 (filed Dec. 5, 2011); *Ex Parte* filing by C Spire Wireless, WT Docket No. 11-18, RM-11592 (filed Dec. 5, 2011).

No transition or timing impediments to Lower 700 MHz interoperability

Ex Parte filing by Vulcan Wireless LLC, WT Docket No. 11-18, RM-11592, 1 and Attachment at 1-2 (filed Dec. 15, 2011); *Ex Parte* filing by C Spire Wireless, WT Docket No. 11-18, RM-11592, 1 (Dec. 22, 2011); *Ex Parte* filing by Rural Cellular Association, WT Docket No. 11-18, RM-11592, 3 (Dec. 13, 2011).